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EXAMINER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/816,552
Filing Date: March 23, 2001
Appellant(s): IGRA, MARK S.

Robert C. Peck, Reg. No. 56,826

For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 10 August 2006 appealing from the Office Action mailed 2 May 2005.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The Appellant's statement of the status of amendments after final rejection contained in the brief is correct. However, the examiner notes that the amendment submitted in Appendix A, filed **with** the Appeal Brief, is **improper** for two reasons: 1) the amendment was not submitted in a separate paper; and 2) the amendment is not limited to canceling claims or rewriting dependent claims into independent form. See 37 CFR 41.33(b) and (c).

Appellant's amendments do not affect the scope of the claims in a way that would affect the Appeal, and no argument in the Appeal Brief addresses the amendments. For these reasons, this Appeal is ready for review by the Board of Patent Appeals and Interferences.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The Appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

Ferrel et al., U.S. Patent No. 5,860,073; Keating, U.S. Patent Application Publication US 2002/0052895; and Lie et al., "Cascading Style Sheets, level 1" **W3C Recommendation** 17 Dec 1996, revised 11 Jan 1999 (www.w3.org/TR/CSS1) are relied upon by the examiner in the rejection of the claims under appeal.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-23, 26-29, 32 and 33 remain rejected under 35 U.S.C. 102(b) as being anticipated by Ferrel et al., U.S. Patent No. 5,860,073.

Claim 1:

Ferrel discloses *a web page generation method* (see Column 1, Lines 5-7 → Ferrel discloses this limitation in that the electronic publishing system publishes web pages using style sheets), *comprising:*

- *defining a master specification* (see Figures 8, 9 and 14; see Column 18, Line 63 through Column 20, Line 62 – Ferrel discloses a “master specification” in that the multimedia publishing system includes templates comprising controls and style sheets) *specifying a common style* (see Figures 8, 9 and 14; see Column 18, Line 63 through Column 20, Line 62 → Ferrel discloses a “common style” in that the multimedia publishing system includes style sheets that specify particular fonts in which to display the content of the web pages), *a common navigation arrangement* (see *Specification* of the present application at Page 7, Lines 13-14,

where the “*navigation arrangement*” is very broadly defined as “supported transitions between the web pages.” In Ferrel, see Figures 8, 9 and 14; see Column 18, Line 63 through Column 20, Line 62 → Ferrel discloses a “common navigation” in that the multimedia publishing system includes a “Page 1” format layout and a “Page 2” format layout so that the online newspaper has a distinctive “look and feel” that “supports transitions” between the pages. Also, the online newspaper layouts disclosed in Ferrel include “common navigation arrangements” so that users can easily navigate between the different pages and sections of the newspaper. Moreover, Ferrel discloses - in Column 20, Lines 29-31 - that “the last page used is repeated until all stories are rendered” whenever the section does not define enough pages to display all of the stories. In that case, at least one extra page would be added to the section, and the section would support transitions between the pages so the reader could view all of the pages of the section.), *and common content placement for each resultant web page to be generated* (see Figures 8, 9 and 14; see Column 18, Line 63 through Column 20, Line 62 → Ferrel discloses “common content placement” in that the multimedia publishing system includes controls that specify the particular content to be displayed on the web pages and where to display said content on said pages);

- *defining a first subordinate content specification* (elements 462-466, Figure 8) *specifying first content of a first resultant web page* (the story objects include the “first content”), *referencing the master specification for style, navigation and*

content placement (see Figures 8, 9 and 14; see Column 18, Line 63 through Column 20, Line 62 → Ferrel discloses this limitation in that each story object references the associated control and the corresponding style sheet to: a) determine the “style” in which to display the content, b) access the formatting provided by the style sheets, and c) determine where to display the content on the web page. Moreover, in Column 16, Lines 56-60, Ferrel referenced a copending application, now US Patent 6,230,173, which discloses the authoring and processing of “content objects.” US 6,230,173, also invented by Ferrel, expressly discloses: 1) the content objects reference style sheets before being rendered on the page, and 2) when content objects are authored, they are given formatting tags that link them to the appropriate style sheets. Thus, Ferrel discloses a “subordinate content specification referencing the master specification for style, navigation and content placement.”);

- *defining a second subordinate content specification* (elements 470-474, Figure 8) *specifying second content of a second resultant web page* (the story objects include the “second content”), *referencing the master specification for style, navigation and content placement* (as indicated in the above discussion, Ferrel discloses this limitation); *and*
- *generating said first and second resultant web pages with said first and second contents being placed and styled in accordance with said common content placement and said common style specified by said master specification, and said first and second resultant web pages having said common navigation*

arrangement specified by said master specification (see Figures 8, 9 and 14; see Column 18, Line 63 through Column 20, Line 62 → Ferrel discloses this limitation as clearly indicated in the cited figures and text).

Claim 2:

Ferrel discloses *the method of Claim 1, wherein said defining of a master specification specifying a common style comprises specifying a reference to a style definition* (see Figures 8, 9 and 14; see Column 19, Lines 8-11 → Ferrel discloses a “reference to a style definition” in that the templates include controls that reference style sheets; these style sheets specify the fonts to be used when displaying the content on the web pages).

Claim 3:

Ferrel discloses *the method of Claim 1, wherein said defining of a master specification specifying a common navigation arrangement comprises specifying a reference to a navigation arrangement* (see Figure 8; see Column 19, Lines 8-11 → Ferrel discloses a “reference to a navigation arrangement” in that the templates include controls that reference style sheets; these style sheets specify the “Page 1” format layout and the “Page 2” format layout to be used when displaying the content on the web pages).

Claim 4:

Ferrel discloses *the method of Claim 1, wherein said defining of a master specification specifying a common content placement comprises specifying said content placement within said master specification* (see Figure 8; see Column 19, Lines 8-11 → Ferrel discloses “specifying said content placement within said master specification” in that the templates include controls that reference style sheets; these style sheets specify what content to display on the web pages and where to display said content on said pages).

Claim 5:

Ferrel discloses *the method of Claim 1, wherein each of said defining of a first and a second subordinate content specification specifying first and second content of a first and a second resultant web page is made using a markup language having language elements for specifying control information in a control section, and said referencing of the master specification comprises specifying a reference to said master specification in said control section* (see Figure 8; see Column 19, Lines 36-50 → Ferrel discloses “using a markup language to specify control information in a control section” and “specifying a reference to said master specification in said control section” in that the story objects are HTML documents that reference style sheets to retrieve formatting information).

Claim 6:

Ferrel discloses a *web page generation method* (see Column 1, Lines 5-7),
comprising:

- *receiving a master specification* (see Figures 8, 9 and 14; see Column 18, Line 63 through Column 20, Line 62 → Ferrel discloses a “master specification” in that the multimedia publishing system includes templates comprising controls and style sheets) *defining a common design for resultant web pages to be generated* (see Figures 8, 9 and 14; see Column 18, Line 63 through Column 20, Line 62 → Ferrel discloses a “common design” in that the multimedia publishing system includes templates comprising controls and style sheets), *specifying common content placement* (see Figures 8, 9 and 14; see Column 18, Line 63 through Column 20, Line 62 → Ferrel discloses “common content placement” in that the multimedia publishing system includes controls that specify the particular content to be displayed on the web pages and where to display said content on said pages) *and at least one of common style* (see Figures 8, 9 and 14; see Column 18, Line 63 through Column 20, Line 62 → Ferrel discloses a “common style” in that the multimedia publishing system includes style sheets that specify the particular fonts in which to display the content of the web pages) *and common navigation arrangement for each of said resultant web pages to be generated* (see Specification of present application at Page 7, Lines 13-14, where the “*navigation arrangement*” is very broadly defined as “supported transitions between the web pages;” in Ferrel, see Figures 8, 9 and 14; see Column 18, Line

63 through Column 20, Line 62 → Ferrel discloses a “common navigation” in that the multimedia publishing system includes a “Page 1” format layout and a “Page 2” format layout so that the online newspaper has a distinctive “look and feel” that “supports transitions” between the pages; moreover, the online newspaper layouts disclosed in Ferrel will include “common navigation arrangements” so that users can easily navigate between the different pages and sections of the newspaper);

- *receiving a first subordinate web page specification* (elements 460-466, Figure 8) defining first content for a first resultant web page to be generated (the story objects include the “first content”), *specifying said first content for said first resultant web page to be generated* (the story objects “specify the first content”), *and referencing the master specification for content placement and at least one of style and navigation* (see Figures 8, 9 and 14; see Column 18, Line 63 through Column 20, Line 62 → Ferrel discloses this limitation in that the story object references the associated control and the corresponding style sheet to determine the “style” in which to display the content, to access the formatting provided by the style sheets and to determine what content to display on the web page and where to display said content on said page; moreover, in Column 16, Lines 56-60, Ferrel referenced a copending application, now US 6,230,173, which discloses the authoring and processing of “content objects;” US 6,230,173, also invented by Ferrel, expressly discloses: 1) the content objects reference style sheets before being rendered on the page, and 2) when content objects are

authored, they are given formatting tags that link them to the appropriate style sheets; thus, Ferrel discloses a “subordinate content specification referencing the master specification for style, navigation and content placement”);

- *receiving a second subordinate web page specification (elements 470-474, Figure 8) defining second content for a second resultant web page to be generated (the story objects include the “second content”), specifying said second content for said second resultant web page to be generated (the story objects “specify the second content”), and referencing the master specification for content placement and at least one of style and navigation (as indicated in the above discussion, Ferrel discloses this limitation); and*
- *generating said first and second resultant web pages with said first and second contents being placed, styled and/or having a common navigation arrangement in accordance with said common content placement and at least one of said common style and said common navigation arrangement specified by said master specification (see Figures 8, 9 and 14; see Column 18, Line 63 through Column 20, Line 62 → Ferrel discloses this limitation as clearly indicated in the cited figure and text).*

Claim 7:

Ferrel discloses *the method of Claim 6, wherein said master specification specifies said common style through a reference to a style definition* (see Figures 8, 9 and 14; see Column 19, Lines 8-11 → Ferrel discloses a “reference to a style definition”

in that the templates include controls that reference style sheets; these style sheets specify the fonts to be used when displaying the content on the web pages).

Claim 8:

Ferrel discloses *the method of Claim 7, wherein said master specification specifies said common design employing a markup language having language elements for specifying control information in a control section, and said specification of a reference to a style definition comprises specification of said reference to said style definition in said control section* (see Figure 8; see Column 19, Lines 36-50 → Ferrel discloses “employing a markup language to specify control information in a control section” and “specifying a reference to said style definition in said control section” in that the templates are HTML documents that reference style sheets to retrieve formatting information).

Claim 9:

Ferrel discloses *the method of Claim 6, wherein said master specification specifies said common navigation arrangement through a reference to a navigation specification* (see Figure 8; see Column 19, Lines 8-11 → Ferrel discloses a “reference to a navigation specification” in that the templates include controls that reference style sheets; these style sheets specify the “Page 1” format layout and the “Page 2” format layout to be used when displaying the content on the web pages).

Claim 10:

Ferrel discloses *the method of Claim 9, wherein said master specification specifies said common design employing a markup language having language elements for specifying control information in a control section, and said specification of a reference to a navigation definition comprises specifying a reference to a navigation specification in said control section* (see Figure 8; see Column 19, Lines 36-50 → Ferrel discloses “employing a markup language to specify control information in a control section” and “specifying a reference to a navigation specification in said control section” in that the templates are HTML documents that reference style sheets to retrieve formatting information).

Claim 11:

Ferrel discloses *the method of Claim 6, wherein said master specification specifies said common design employing a markup language having language elements for specifying content in a content section, and said specification of said common content placement comprises specifying said content placement in said content section* (see Figure 8; see Column 19, Lines 36-50 → Ferrel discloses “specifying common design by employing a markup language to specify content in a content section” and “specifying said content placement in said content section” in that the templates are HTML documents that specify the particular content to be displayed on the web pages and where to display said content on said pages).

Claim 12:

Ferrel discloses *the method of Claim 6, wherein both of said first and second subordinate web page specifications specify said first and second content of said first and second resultant web pages using a markup language having language elements for specifying control information in a control section, and each of said referencing to the master specification comprises specifying a reference to said master specification in the control section* (see Figure 8; see Column 19, Lines 36-50 → Ferrel discloses “specifying content by using a markup language to specify control information in a control section” and “specifying a reference to said master specification in said control section” in that the story objects are HTML documents that reference style sheets to retrieve formatting information).

Claim 13:

Ferrel discloses *the method of Claim 6, wherein:*

- *said master specification and said first and second subordinate web page specifications express the respective specifications using a markup language having language elements for specifying control information in a control section* (see Figure 8; see Column 19, Lines 36-50 → Ferrel discloses “specifying the master and first and second web page specifications by using a markup language to specify control information in a control section” in that the templates and the story objects are HTML documents that reference style sheets to retrieve

formatting information; these references to the style sheets in the templates and the story objects are the “control information”);

- *said specification of at least one of a common style and a navigation arrangement comprises specifying at least one of a reference to a style definition and a reference to a navigation arrangement in the control section of the master specification (see Figure 8; see Column 19, Lines 36-50 → Ferrel discloses “specifying at least one of a reference to a style definition and a reference to a navigation arrangement in the control section of the master specification” in that the templates are HTML documents that reference style sheets to retrieve formatting information);*
- *said first and second subordinate web page specifications specify first and second other control information in first and second control sections of the first and second subordinate web page specifications respectively (see Figure 8; see Column 19, Lines 36-50 → Ferrel discloses “first and second other control information in first and second control sections of the first and second subordinate web page specifications” in that the story objects are HTML documents that reference style sheets to retrieve formatting information; these references to the style sheets in the story objects are the “other control information”); and*
- *each of said generating of said first and second resultant web pages comprises merging said specification of at least one of a reference to a style definition and a reference to a navigation arrangement in the control section of the master*

specification and the corresponding one of said first and second other control information in the control section of the corresponding one of said first and second subordinate web page specifications (see Figure 8; see Column 19, Lines 32-35 → Ferrel discloses “merging [the specified elements]” in that the story objects are fitted onto the templates through use of the style sheets).

Claim 14:

Ferrel discloses the method of Claim 6, wherein:

- *said master specification and said first and second subordinate web page specifications express the respective specifications using a markup language having language elements for specifying control information in a control section (see Figure 8; see Column 19, Lines 36-50 → Ferrel discloses “specifying the master and first and second subordinate web page specifications by using a markup language to specify control information in a control section” in that the templates and the story objects are HTML documents that reference style sheets to retrieve formatting information; these references to the style sheets in the templates and the story objects are the “control information”);*
- *said specification of common content placement comprises specification of a content section whose content is to be included from a referencing subordinate web page specification (see Figure 8; see Column 19, Lines 36-50 → Ferrel discloses “specifying a content section whose content is to be included from a referencing subordinate web page specification” in that both the templates and*

the associated story objects reference the corresponding style sheets, and the story objects are “poured into” the templates upon rendering);

- *said first and second subordinate web page specifications specify first and second content in first and second content sections of said first and second subordinate web page specifications respectively* (see Figure 8; see Column 19, Lines 36-50 → Ferrel discloses “specifying first and second content in first and second content sections of said first and second subordinate web page specifications respectively” in that the story objects include the content; the examiner notes that this limitation essential recites that “the content objects includes the content” to be poured into the templates); *and*
- *each of said generating of said first and second resultant web pages comprises merging said specification of at least one of a reference to a style definition and a reference to a navigation arrangement in the control section of the master specification and the corresponding one of said first and second other control information in the control section of the corresponding one of said first and second subordinate web page specifications* (see Figure 8; see Column 19, Lines 32-35 → Ferrel discloses generating the web pages by “merging [the specified elements]” in that the story objects are fitted onto the templates through use of the style sheets).

Claim 15:

Ferrel discloses *the method of Claim 6, wherein:*

- *said first and second resultant web pages are referenced by first and second identifiers* (see Column 8, Line 12 through Column 9, Line 46 → Ferrel discloses an online newspaper comprising templates and story objects, both of which are HTML documents, and thus impliedly discloses “first and second identifiers” for the story objects);
- *said method further comprises receiving said first and second identifiers requesting for said first and second resultant web pages* (see Column 8, Line 12 through Column 9, Line 46 → Ferrel discloses an online newspaper comprising templates and story objects, both of which are HTML documents, and thus impliedly discloses “receiving requests for the web pages” from readers of the online newspaper); *and*
- *at least said generations of said first and second resultant web pages are performed responsive to the corresponding receiving of said first and second identifiers* (see Column 8, Line 12 through Column 9, Line 46 → Ferrel discloses rendering an online newspaper comprising templates and story objects, both of which are HTML documents, and thus impliedly discloses “generation of the web pages that is responsive to receiving requests” for the corresponding pages of the online newspaper).

Claim 16:

Ferrel discloses *an apparatus for generating a web page* (see Column 1, Lines 5-7), *comprising:*

- *storage medium having stored therein programming instructions which, when executed, operate the apparatus to (see Column 10, Line 11 through Column 12, Line 21 → Ferrel discloses this limitation in that the system includes storage that hold the programs used to generate the web pages):*
 - *receive a master specification defining a common design for resultant web pages to be generated, specifying common content placement and at least one of common style and common navigation arrangement for each of said resultant web pages to be generated (as discussed in the above rejection for Claim 6, Ferrel discloses this limitation);*
 - *receive a first subordinate web page specification defining first content for a first resultant web page to be generated, specifying said first content for said first resultant web page to be generated, and referencing the master specification for content placement and at least one of style and navigation (as discussed in the above rejection for Claim 6, Ferrel discloses this limitation);*
 - *receive a second subordinate web page specification defining second content for a second resultant web page to be generated, specifying said second content for said second resultant web page to be generated, and referencing the master specification for content placement and at least one of style and navigation (as discussed in the above rejection for Claim 6, Ferrel discloses this limitation); and*

- *generating said first and second resultant web pages with said first and second contents being placed, styled and/or having a common navigation arrangement in accordance with said common placement and at least one of style and navigation arrangement specified by said master specification* (as discussed in the above rejection for Claim 6, Ferrel discloses this limitation); *and*
- *a processor coupled to the storage medium to execute the programming instructions* (see Column 10, Line 11 through Column 12, Line 21 → Ferrel discloses this limitation in that the system includes a processor to execute the programs used to generate the web pages).

Claims 17 and 18:

Claims 17 and 18 correspond to Claims 13 and 14, respectively. Thus, Ferrel discloses every limitation of Claims 17 and 18, as indicated in the above rejections for Claims 13 and 14.

Claim 19:

Ferrel discloses *an article of manufacture for generating a web page* (see Column 1, Lines 5-7), *comprising:*

- *a storage medium* (see Column 10, Line 11 through Column 12, Line 21 → Ferrel discloses this limitation in that the system includes storage); *and*

- *a plurality of programming instructions stored in said storage medium to program an apparatus to enable the apparatus to (see Column 10, Line 11 through Column 12, Line 21 → Ferrel discloses this limitation in that the system includes storage that hold the programs used to generate the web pages):*
 - *receive a master specification defining a common design for resultant web pages to be generated, specifying common content placement and at least one of common style and common navigation arrangement for each of said resultant web pages to be generated (as discussed in the above rejection for Claim 6, Ferrel discloses this limitation);*
 - *receive a first subordinate web page specification defining first content for a first resultant web page to be generated, specifying said first content for said first resultant web page to be generated, and referencing the master specification (as discussed in the above rejection for Claim 6, Ferrel discloses this limitation), deferring to the master specification for content placement and at least one of style and navigation (see Column 19, Lines 36-51 → Ferrel discloses this limitation in that the story objects include formatting tags that represent specific styles but the story objects reference the style sheets to receive all formatting information such as fonts, etc.);*
 - *receive a second subordinate web page specification defining second content for a second resultant web page to be generated, specifying said second content for said second resultant web page to be generated, and*

referencing the master specification (as discussed in the above rejection for Claim 6, Ferrel discloses this limitation), *deferring to the master specification for content placement and at least one of style and navigation* (see Column 19, Lines 36-51 → Ferrel discloses this limitation in that the story objects include formatting tags that represent specific styles but the story objects reference the style sheets to receive all formatting information such as fonts, etc.);

- o *generate said first and second resultant web pages with said first and second contents being placed, styled and/or having a common navigation arrangement in accordance with said common placement and at least one of style and navigation arrangement specified by said master specification* (as discussed in the above rejection for Claim 6, Ferrel discloses this limitation).

Claims 20 and 21:

Claims 20 and 21 correspond to Claims 13 and 14, respectively. Thus, Ferrel discloses every limitation of Claims 20 and 21, as indicated in the above rejections for Claims 13 and 14.

Claim 22:

Ferrel discloses *a web page generation method* (see Column 1, Lines 5-7),
comprising:

- *receiving a master specification defining a design for one or more resultant web pages to be generated* (as discussed in the above rejection for Claim 6, Ferrel discloses this limitation), *specifying in a first control section at least one of style and navigation arrangement* (as discussed in the above rejections for Claims 1 and 6, Ferrel discloses specifying “style” and “navigation arrangement;” Ferrel discloses a “first control section” that specifies “style” and “navigation arrangement” in that the multimedia publishing system includes templates and style sheets that specify the “style” and the “navigation arrangement” for a particular web page; for example, in Figure 8, Ferrel discloses templates and style sheets for a “Front Page” section and a “Business” section) *and, in a first content section, first content placement for each of the one or more resultant web pages to be generated* (as discussed in the above rejections for Claims 1 and 6, Ferrel discloses specifying a “first content placement” for multiple web pages that are to be generated; Ferrel discloses a “first content section” in that the multimedia publishing system includes controls that specify which particular content object is poured into the each container);
- *receiving a first subordinate web page specification defining first content for a first resultant web page to be generated* (as discussed in the above rejection for Claim 6, Ferrel discloses this limitation), *referencing in a second control section the master specification for content placement and at least one of style and common navigation* (see Figures 8, 9 and 14; see Column 18, Line 63 through Column 20, Line 62 → Ferrel discloses this limitation in that the story object

- references the associated control and the corresponding style sheet to determine the "style" in which to display the content, to access the formatting provided by the style sheets and to determine what content to display on the web page and where to display said content on said page; moreover, in Column 16, Lines 56-60, Ferrel referenced a copending application, now US Patent 6,230,173, which discloses the authoring and processing of "content objects;" US 6,230,173, also invented by Ferrel, expressly discloses: 1) the content objects reference style sheets before being rendered on the page, 2) when content objects are authored, they are given formatting tags that link them to the appropriate style sheets; these "formatting tags" are the "second control section;" thus, Ferrel discloses a "subordinate web page specification" that includes a "second control section" referencing the master specification for style, navigation and content placement"), *and specifying in a second content section said first content* (the story objects "specify the first content in a second content section" in that the story objects include the content to be displayed on the web pages); *and*
- *generating said first resultant web page, adopting said first control section and first content section of said first subordinate web page specification and merging said specified first content into said first content section, resulting with said first content being placed, styled and/or having a common navigation arrangement in accordance with said common placement and at least one of said style and said navigation arrangement specified by said master specification* (see Figures 8, 9

and 14; see Column 18, Line 63 through Column 20, Line 62 → Ferrel discloses this limitation as clearly indicated in the cited figure and text).

Claim 23:

Ferrel discloses *the method of Claim 22, wherein:*

- *said first subordinate web page specification further specifies other control information in said second control section* (see Figure 8; see Column 19, Lines 36-50 → Ferrel discloses “other control information in said second control section of the first subordinate web page specification” in that the story objects are HTML documents that reference style sheets to retrieve formatting information; these references to the style sheets in the story objects are the “other control information”); *and*
- *said generating of said first resultant web page further comprises merging said other control information in said first control section* (see Figure 8; see Column 19, Lines 32-35 → Ferrel discloses “merging other control information” in that the story objects are fitted onto the templates through use of the style sheets and the “other control information” is that part of the web pages that link the web pages to the templates and the associated style sheets).

Claim 26:

Ferrel discloses *the method of Claim 22, wherein:*

- *said master specification further specifies in a second content section, second content placement for each of the one or more resultant web pages to be generated, and said first subordinate web page referencing said first content section of said master specification for said first content placement (as specified in the above rejection for Claim 1, the template in Ferrel discloses “content placement” for both the first and second web pages; thus, Ferrel discloses a first content section that identifies a first content placement for the first web page and a second content section that identifies a second content placement for the second web page);*
- *said method further comprises receiving a second subordinate web page specification defining second content for said second content placement for said first resultant web page to be generated, referencing in a third control section the second content placement of the master specification for content placement and at least one of style and common navigation, and specifying in a third content section said second content (as specified in the above rejection for Claim 1, the template in Ferrel discloses “content placement” for both the first and second web pages; thus, Ferrel discloses a third content section that identifies a second content for a second content placement for the first web page in a second web page specification and a third control section that identifies a second content placement for the second web page that specifies the style, common navigation and content placement of the second content); and*

- *said generating of said first resultant web page further comprises merging said specified second content into said second content section, resulting with said second content being placed, styled and/or having a common navigation arrangement in accordance with said common placement and at least one of style and navigation arrangement specified by said master specification (as indicated in the above rejection for Claim 1, Ferrel discloses this limitation).*

Claim 27:

Ferrel discloses the method of Claim 22, wherein said first control section of said master specification comprises at least one variable control, and said second control section of said first subordinate web page specification comprises a control value for one of said at least one variable control (see Figure 8 → Ferrel discloses this limitation in that the templates contain controls - "variable controls" - into which the story objects – "control values" - are poured).

Claim 28:

Ferrel discloses an apparatus for generating a web page (see Column 1, Lines 5-7), comprising:

- *storage medium having stored therein a plurality of programming instructions which, when executed, operate the apparatus to (as indicated in the above rejection for Claim 19, Ferrel discloses this limitation):*

- *receive a master specification defining a design for one or more resultant web pages to be generated, specifying in a first control section at least one of style and navigation arrangement, and in a first content section content placement for each of the one or more resultant web pages to be generated (as indicated in the above rejection for Claim 22, Ferrel discloses this limitation),*
- *receive a first subordinate web page specification defining first content for a first resultant web page to be generated, referencing in a second control section the master specification (as indicated in the above rejection for Claim 22, Ferrel discloses this limitation), deferring to the master specification for content placement and at least one of style and common navigation (as indicated in the above rejection for Claim 19, Ferrel discloses this limitation), and specifying in a second content section said first content (as indicated in the above rejection for Claim 22, Ferrel discloses this limitation), and*
- *generate said first resultant web page, adopting said first control section and first content section of said master specification and merging said specified first content into said first content section, resulting with said first content being placed, styled and/or having a common navigation arrangement in accordance with said common placement and at least one of style and navigation arrangement specified by said master specification*

(as indicated in the above rejection for Claim 22, Ferrel discloses this limitation); *and*

- *a processor coupled to the storage medium to execute the programming instructions* (as indicated in the above rejection for Claim 16, Ferrel discloses this limitation).

Claim 29:

Ferrel discloses *the apparatus of Claim 28, wherein:*

- *said second specification further specifying other control information in said second control section* (as indicated in the above rejection for Claim 13, Ferrel discloses this limitation); *and*
- *said generating of said first resultant web page further comprises merging said other control information in said adopted first control section* (as indicated in the above rejection for Claim 23, Ferrel discloses this limitation).

Claim 32:

As indicated in the above discussion, Ferrel discloses every limitation of Claim 28, from which Claim 32 depends.

The expressly-specified recitations of Claim 32 correspond to Claim 26. Thus, Ferrel discloses every limitation of Claim 32, as indicated in the above rejections for Claim 26 and 28.

Claim 33:

As indicated in the above discussion, Ferrel discloses every limitation of Claim 28, from which Claim 33 depends.

The expressly-specified recitations of Claim 33 correspond to Claim 27. Thus, Ferrel discloses every limitation of Claim 33, as indicated in the above rejections for Claims 27 and 28.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 25 and 31 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrel, in view of Keating, U.S. Patent Application Publication US 2002/0052895.

Claim 25:

As indicated in the above discussion, Ferrel discloses every limitation of Claim 22. Ferrel also discloses:

- *said master specification and said first subordinate web page specification express the respective specifications having language elements for specifying control information in a control section (as discussed in the above rejections for Claims 5 and 8, Ferrel discloses these limitations);*

- *said master specification specifies said content placement (as discussed in the above rejection for Claim 6, Ferrel discloses this limitation) by specifying within said design specification the content that is to be included from a referencing subordinate web page specification (as discussed in the above rejections for Claims 6 and 11, Ferrel discloses this limitation); and*
- *said first subordinate web page specification specifying said first content within said first subordinate web page specification (as discussed in the above rejection for Claim 6, Ferrel discloses this limitation); and*
- *said generating of said first resultant web page comprises merging the content of the subordinate web page specification into the design specification (as discussed in the above rejection for Claim 14, Ferrel discloses this limitation).*

Ferrel fails to expressly disclose:

- *said master specification and said first subordinate web page specification being written in XHTML.*

Keating teaches a *web page generation method* (see Paragraphs 0001-0003),
wherein:

- *a master specification and a first subordinate web page specification are written in XHTML (see Paragraphs 0010 and 0032),*

for the purpose of maintaining compatibility with HTML 4 browsers (see Paragraph 0007).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Ferrel, to include:

- *a master specification and a first subordinate web page specification that are written in XHTML,*

for the purpose of maintaining compatibility with HTML 4 browsers, as taught in Keating.

Ferrel, in view of Keating, fails to expressly disclose/teach:

- *said master specification specifying within said design specification a <body> section whose content is to be included from a referencing subordinate web page specification;*
- *said first subordinate web page specification specifying said first content by specifying within said first subordinate web page specification a <body> section;*
and
- *merging the content of the <body> section of the subordinate web page specification into the <body> section of the design specification.*

However, the <BODY> tag of an HTML document comprises the content of the web page including what content is to be placed on the web page and where on the web page to put the content. One of ordinary skill in the art, a web page author, would have typically included all references to content objects that are to be displayed on a web page inside the <BODY> section of the template. Thus, at the time the invention was made, it would have been obvious to one of ordinary skill in the art to:

- *specify within said design specification of said master specification a <body> section whose content is to be included from a referencing subordinate web page specification;*
- *specify said first content of said first subordinate web page specification by specifying within said first subordinate web page specification a <body> section; and*
- *merging the content of the <body> section of the subordinate web page specification into the <body> section of the design specification,*

for the purpose of specifying the particular content to be included on the web pages that are generated using templates and associated content objects.

Claim 31:

As indicated in the above discussion, Ferrel discloses every limitation of Claim 28, from which Claim 31 depends.

The expressly-specified recitations of Claim 31 correspond to Claim 25. Thus, Ferrel, in view of Keating, discloses/teaches every limitation of Claim 31, as indicated in the above rejections for Claims 25 and 28.

Claims 24 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrel, in view of Lie et al., "Cascading Style Sheets, level 1" **W3C**

Recommendation 17 Dec 1996, revised 11 Jan 1999 (www.w3.org/TR/CSS1) and Keating.

Claim 24:

As indicated in the above discussion, Ferrel discloses every limitation of Claim 22.

Ferrel fails to disclose:

- *said master specification and said first subordinate web page specification express the respective specifications using XHTML having a <head> section for specifying control information;*
- *said specification of at least one of a common style and a navigation arrangement comprises specifying at least one of a reference to a style definition and a reference to a navigation arrangement in the <head> section of the design specification; and*
- *said generating of said first resultant web page comprises adopting said <head> section of said design specification.*

Lie teaches a *web page generation method* (see “Abstract” on Page 1 of 70), comprising:

- *a master specification and a first subordinate web page specification expressing the respective specifications using HTML having a <head> section for specifying control information (see “Containment in HTML” on Page 6 of 70 → the HTML*

document includes “control information,” links to the associated style sheet, in the <HEAD> section);

- *said specification of at least one of a common style and a navigation arrangement comprises specifying at least one of a reference to a style definition and a reference to a navigation arrangement in the <head> section of the design specification (see “Containment in HTML” on Page 6 of 70 → reference to the associated style sheet comprises a “reference to a style definition”); and*
- *said generating of said first resultant web page comprises adopting said <head> section of said design specification (generation of the web page results in the “adoption” of the “style definition” specified through reference to the associated style sheet in the <HEAD> section),*

for the purpose of linking the HTML document to the associated style sheets so as to control the way the web page is presented.

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Ferrel, to include:

- *said master specification and said first subordinate web page specification express the respective specifications using HTML having a <head> section for specifying control information;*
- *said specification of at least one of a common style and a navigation arrangement comprises specifying at least one of a reference to a style definition*

and a reference to a navigation arrangement in the <head> section of the design specification; and

- *said generating of said first resultant web page comprises adopting said <head> section of said design specification,*

for the purpose of linking the HTML document to the associated style sheets so as to control the way the web page is presented, as taught in Lie.

Ferrel, in view of Lie, fails to disclose *a master specification and a first subordinate web page specification written in XHTML.*

Keating teaches a web page generation method (see Paragraphs 0001-0003), wherein:

- *a master specification and a first subordinate web page specification are written in XHTML (see Paragraphs 0010 and 0032),*

for the purpose of maintaining compatibility with HTML 4 browsers (see Paragraph 0007).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Ferrel, in view of Lie, to include:

- *a master specification and a first subordinate web page specification that are written in XHTML,*

for the purpose of maintaining compatibility with HTML 4 browsers, as taught in Keating.

Claim 30:

As indicated in the above discussion, Ferrel discloses every limitation of Claim 28, from which Claim 30 depends.

The expressly-specified recitations of Claim 30 correspond to Claim 24. Thus, Ferrel, in view of Lie and Keating, disclose/teach every limitation of Claim 30, as indicated in the above rejections for Claims 24 and 28.

(10) Response to Argument

I. Rejection of Claims 1-23, 26-29, 32 and 33 (with regard to Ferrel):

Appellant argues that Ferrel fails to disclose or suggest “defining a master specification specifying . . . **common** content placement **for each resultant web page**” (emphasis added) and “generating said first and second resultant web pages . . . **in accordance with said common content placement**” (emphasis added), because, although Ferrel teaches a method of content placement, it does not teach **common** content placement among pages. Appellant supports the argument by stating that, in

Ferrel, the layout for each page must be independently created, whereas, in the present invention, the layout for each page need not be separately created or edited. See **Brief** – Pages 10-11, spanning paragraph.

The examiner disagrees.

These limitations were interpreted in the Advisory Action dated 10 August 2005. The examiner interpreted “*defining a master specification specifying . . . common content placement for each resultant web page*” to be any prior art **style sheet**, template and/or control that specifies the **spatial layouts**, **style attributes** and **navigation controls** for any web page that is to be generated using the style sheet, template and/or control. Additionally, the examiner interpreted “*generating said first and second resultant web pages . . . in accordance with said common content placement*” to be the previously-mentioned prior art spreadsheet, template and/or control that is used to generate a plurality of web pages. The examiner notes that Appellant had the opportunity to dispute these interpretations of the limitations in the Appeal Brief and did not. If Appellant thinks that the proper interpretation of the limitations is different from the examiner’s interpretation, then Appellant should **clearly** and **distinctly** point out the proper interpretation of the limitations.

Ferrel discloses a “master specification” that: 1) specifies a “common content placement for each resultant web page,” and 2) generates multiple “resultant web pages” in accordance with the specified common content placement, as discussed in the following paragraphs.

Firstly, as indicated in the Advisory Action, Ferrel discloses a **collection of templates, controls and style sheets** for an online newspaper (see Claim 1, Lines 2-4: “*defining a **master specification specifying a common style, a common navigation arrangement, and common content placement for each resultant web page to be generated***”) in Figures 8, 9 and 14 and discussed in the text of Column 18, Line 63 through Column 20, Line 62. In the cited figures and text, Ferrel also comprises story objects for the newspaper (see Claim 1, Lines 5-6: “*defining a first subordinate content specification specifying first content of a first resultant web page*”) and produces multiple web pages of the newspaper using the collection of templates, controls and style sheets and the story objects of the publishing system (see Claim 1, Line 11: “*generating said first . . . resultant web page*”). As indicated in Column 9, Lines 28-52, Ferrel discloses updating the content of the online newspaper. Thus, whenever *existing* story objects are **modified** or *new* story objects are **added** (see Claim 1, Lines 8-9: “*defining a second subordinate content specification specifying second content of a second resultant web page*”), the publishing system produces **another variation** of the online newspaper using the **same** collection of templates, controls and style sheets and the updated story objects (see Claim 1, Lines 8-9: “*generating . . . second resultant web page*”). For example, the front page of the online newspaper may include breaking news stories that are updated on an hourly basis.

Secondly, Ferrel expressly discloses archiving multiple issues of electronic documents (see Column 13, Lines 48-50). This disclosure implies that a user may access the stored multiple issues in the archive. Thus, when the user accesses the

front page of yesterday's online newspaper, the online publishing system uses element 430 in Figure 8 (see Claim 1, Lines 2-4: "*defining a **master specification specifying a common style, a common navigation arrangement, and common content placement for each resultant web page to be generated***"), accesses the corresponding story objects (see Claim 1, Lines 5-6: "*defining a first subordinate content specification specifying first content of a first resultant web page*") and generates the web page (see Claim 1, Line 11: "*generating said first . . . resultant web page*") for display to the user. Also, the user may access the front page of today's online newspaper, thus "specifying second content of a second resultant web page" and "generating a second resultant web page."

Thirdly, in Column 20, Lines 14-62, Ferrel expressly discloses dynamic story controls, wherein "the last page used is repeated until all stories are rendered" (see Column 20, Lines 29-31) whenever the section does not define enough pages to display all of the stories . In that case, the last page (see Claim 1, Lines 2-4: "*defining a **master specification specifying a common style, a common navigation arrangement, and common content placement for each resultant web page to be generated***") used to generate the last page of the online newspaper (see Claim 1, Lines 5-6: "*defining a first subordinate content specification specifying first content of a first resultant web page*," and see Claim 1, Line 11: "*generating said first . . . resultant web page*") is used to generate the pages required for the remaining stories (see Claim 1, Lines 8-9: "*defining a second subordinate content specification specifying second content of a second*

resultant web page,” and see Claim 1, Lines 8-9: “*generating . . . second resultant web page*”).

Accordingly, Ferrel discloses a “master specification” that: 1) specifies a “common content placement for each resultant web page,” and 2) generates multiple “resultant web pages” in accordance with the specified common content placement.

Moreover, determining the common spatial placement of the substantive content on each web page using a single “master specification” (see Brief – Page 5, second paragraph, first sentence) is exactly what a style sheet did at the time the invention was made. That is, a style sheet was a template used to define the spatial placement of content within every web page that was to be created using the style sheet. At the time the invention was made, publishing software would have: 1) generated multiple web pages using the style sheet and the specified content for the web pages, and 2) published the web pages. Thus, arguing that Ferrel fails to disclose “**common** content placement” is tenuous at best.

Appellant argues that Ferrel fails to disclose a method for applying common navigation between the pages because Ferrel fails to show **any** method of navigation between the pages. See *Brief* – Page 11, first full paragraph.

The examiner disagrees.

Firstly, this limitation was interpreted in the Final Rejection dated 2 May 2005 as “supported transitions between the web pages,” as defined in the *Specification* of the present application at Page 7, Lines 13-14. The examiner notes that Appellant did not dispute this interpretation.

Secondly, as defined in the *Specification* of the present application, the phrase “common navigation” is extremely broad. Essentially, this phrase reads on any web page component that allows a user to navigate from one web page of a website to another web page of the website. Ferrel discloses an online newspaper that allows the user to navigate from one page to another (see Figures 6, 8 and 14; see Column 17, Lines 3-5). Thus, Ferrel discloses a “common navigation” in that the multimedia publishing system includes a collection of style sheets, templates and controls that are used to display the online newspaper to the user and to allow the user to navigate the pages of the newspaper.

Thirdly, in Column 20, Lines 14-62, Ferrel expressly discloses dynamic story controls, wherein “the last page used is repeated until all stories are rendered” (see Column 20, Lines 29-31) whenever a section does not define enough pages to display all of the stories. In that case, at least one extra page would be added to the section, and the section would support transitions between the pages so the reader could view all of the pages of the section.

Accordingly, Ferrel discloses a “method for applying common navigation between the pages.”

Appellant argues that Ferrel teaches away from one common source for style elements because it teaches that each object has its own style specifications. Appellant supports this argument by stating that, in Ferrel, each object must be separately linked to a display control that has variable formatting elements. Thus, Appellant argues, Ferrel does not teach a “common design” by way of a “master specification.” See *Brief* – Page 12, first paragraph.

The examiner disagrees.

Firstly, Claim 1 recites “*defining a **first subordinate content specification** specifying first content of a first resultant web page, **referencing the master specification for style, navigation and content placement***” (emphasis added) and “*defining a **second subordinate content specification** specifying second content of a second resultant web page, **referencing the master specification for style, navigation and content placement***” (emphasis added). Thus, the “first subordinate content specification” specifies the content of a first web page and references the “master specification” for style. Similarly, the “second subordinate content specification” specifies the content of a second web page and references the “master specification” for style.

The story objects of the online newspaper disclosed in Ferrel do reference a style sheet to obtain the formatting instructions on how the content is to be displayed (see Column 19, Lines 8-11; see Column 19, Lines 36-50. That is, the story objects define a first “subordinate content specification” and a second “subordinate content specification” that: 1) specify the first content of a first web page and the second content of a second

web page, and 2) reference the style sheet for style formatting. Thus, the **collection of templates, controls and style sheets** (i.e., the “master specification”) for the online newspaper in Ferrel discloses a “master specification” that specifies a “common style” for each web page that is generated.

Secondly, in Column 20, Lines 14-62, Ferrel expressly discloses dynamic story controls, wherein “the last page used is repeated until all stories are rendered” (see Column 20, Lines 29-31) whenever a section does not define enough pages to display all of the story objects. In that case, at least one extra page that **uses the same style sheet** would be added to the section, and the extra page would use the same style sheet so that the extra page would be formatted like the last page.

Accordingly, Ferrel does not “teach away” from one common source for style elements and does disclose a “common design” by way of a “master specification.”

Moreover, determining the “common style” of the content on each web page using a single “master specification” is **exactly** what a style sheet did at the time the invention was made. That is, a style sheet was a template used to define the formatting style of the content of every web page that was to be created using the style sheet. At the time the invention was made, publishing software would have: 1) generated multiple web pages using the formatting specified in the style sheet and the corresponding content of the web pages, and 2) published the web pages. Thus, arguing that Ferrel fails to disclose “**common style**” is tenuous at best.

II. Rejection of Claims 25 and 31 (with regard to Ferrel, in view of Keating):

Appellant's arguments for Claims 25 and 31 depend upon the arguments previously submitted for Claims 1-23, 26-29, 32 and 33. See *Brief* – Page 14, first paragraph.

The examiner disagrees, as indicated in the above discussion.

III. Rejection of Claims 24 and 30 (with regard to Ferrel, in view of Lie and Keating):

Appellant's arguments for Claims 24 and 30 depend upon the arguments previously submitted for Claims 1-23, 26-29, 32 and 33. See *Brief* – Page 14, fourth paragraph.

The examiner disagrees, as indicated in the above discussion.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

Art Unit: 2176

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,




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